

REMARKS

Claims 1-21 are pending in the present application. Claims 1, 5-6, 8, 14, 19-20 have been amended and Claim 21 has been added as a result of this response. Claims 1, 8, and 15 are independent claims.

Initially, Applicants acknowledge the Examiner's indication to claims 1-14 would be allowable if it were written to overcome the rejection under 35 U.S.C. § 112, second paragraph and to include all the limitations of the base claims and any intervening claims.

ELECTION/RESTRICTION

In the Applicants prior response of October 29, 2004, Applicants argued that linking claims 19-20 link the device claims of claims 1-14 with the method claims of claims 15-20. In response, the Examiner asserts that Applicants argument was not persuasive because claims 19-20 do not provide any "structural limitation." This argument is respectfully traversed for the following reasons.

Although Applicants respectfully submit that the Examiner has not identified any authority for his requirement that linking claims including a structural limitation, Applicants have rewritten linking claims 19-20 to include structural limitations of the seal mechanism and apparatus, respectively, thereby destroying the Examiner's basis for restriction. Accordingly, consideration of claims 15-20 is respectfully requested.

35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1-14 have been rejected under 35 U.S.C. § 112, second paragraph. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed for the following reasons.

Applicants respectfully submit that the sealing mechanism of independent claim 1 and the apparatus of depending claim 21 are related as subcombination and combination. Similarly, Applicants respectfully submit that the apparatus of claim 8 and the automated system of claim 14 are related as subcombination and combination. More particularly, the seal mechanism of independent claim 1 and the apparatus of dependent claim 21 have a subcombination/combination relationship in the form of ABsp/Bsp. Pursuant to MPEP § 806.05(c). II, a subcombination and combination in the form ABsp/Bsp is not restrictable, because the subcombination is essential to the combination.

With respect to independent claim 1 and dependent claim 21, Applicants respectfully submit both claims are allowable by virtue of the essential subcombination, namely the patentable features of the sealing mechanism of independent claim 1. Similarly, independent claim 8 and dependent claim 14 are both allowable due to the subcombination, namely the patentable features of the sealing mechanism portion of independent claim 8. According to MPEP § 806.05(c) the subcombination/combination relationship of independent claims 1 and 21 and 8 and 14, respectively, are not restrictable. Reconsideration and allowance of each of claims 1-21 of the present application is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-21 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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